

AN ACT

Relating to national and State defense, providing for the establishment of a State Council of Defense and of local and district councils of defense, prescribing the powers and duties thereof, and making an appropriation therefor.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Short Title.—This act shall be known and may be cited as the “State Council of Defense Act.”

“State Council of Defense Act.”

Section 2. Establishment of State Council of Defense.—The Governor is hereby authorized and empowered in time of emergency or public need in the nation or the State to create by proclamation a State Council of Defense, hereinafter designated as the “Council,” for the general purpose of assisting in the coordination of the State and local activities related to national and State defense. Whenever he deems it expedient, the Governor may by proclamation dissolve or suspend such council or re-establish it after any such dissolution or suspension.

Governor empowered to create and to dissolve State Council of Defense.

Section 3. Organization of Council.—(a) The council shall consist of the Governor (who shall be chairman), the Lieutenant-Governor, the State Treasurer, the Auditor General, the Secretary of Internal Affairs, the Adjutant General, the Speaker of the House of Representatives and the President pro tempore of the Senate, and their respective successors in office, and three citizens of Pennsylvania, one to be appointed by the Governor, one by the Speaker of the House of Representatives, and one by the President pro tempore of the Senate.

Council to consist of Governor, Lieutenant Governor, State Treasurer, Auditor General, Secretary of Internal Affairs, Adjutant General, Speaker of House, President pro tempore of Senate, a citizen appointed by Governor, a citizen appointed by Speaker of the House and a citizen appointed by President pro tempore of the Senate.

(b) The council may employ an executive director and such technical, clerical, stenographic and other personnel and fix their compensation and may make such expenditures within the appropriation therefor, or other funds made available to it, as are necessary to carry out the purposes of this act.

Council empowered to employ personnel.

(c) The members of the council shall serve without compensation but may be reimbursed for their actual and necessary traveling and other expenses incurred in connection with attendance upon meetings of the council.

Council members to serve without compensation except for necessary expenses.

(d) The council shall be provided with appropriate office space, furniture, equipment, supplies, stationery and printing in the same manner as other State agencies are supplied.

Council to be provided with office and equipment.

Section 4. Powers and Duties.—The council shall have the following powers and duties:

Powers and duties of Council listed.

(a) To adopt, amend and repeal rules, regulations and by-laws governing its procedure and activities.

(b) To cooperate with the Advisory Committee to the Council of National Defense through its Division of State and Local Cooperation or with any similar Federal agencies hereafter created and with any departments or other Federal agencies engaged in defense activities.

(c) To cooperate with similar councils of defense in other states.

(d) To cooperate with local defense councils.

(e) To supervise and direct investigations and report to the Governor with recommendations for legislation or other appropriate action as it may deem necessary with respect to the following matters, in so far as they are or may be related to defense:

- (1) Industrial materials and facilities;
- (2) Production and manufacturing facilities;
- (3) Agriculture, food supply and land use;
- (4) Transportation facilities;
- (5) Labor supply and training, labor relations and human resources, professions, trades and skills;
- (6) Consumers and consumer protection;
- (7) Housing and related facilities;
- (8) Health, hospitals and sanitation facilities;
- (9) Welfare;
- (10) Educational facilities;
- (11) Recreational areas and facilities;
- (12) Finance;
- (13) Civil liberties, including, but without limiting*, the protection thereof, maintenance of law and order and measures to guard against sabotage and subversive activities;
- (14) Civil defense, including police mobilization, co-ordination for fire protection and disaster relief;
- (15) Any other type of activity directly or indirectly related to defense.

(f) To create committees either within or without its membership to aid it in the discharge of its powers and duties.

(g) To require and direct the cooperation and assistance of State and local governmental agencies and officials.

(h) To make full investigations as to all questions directly or indirectly relating to the powers or duties vested in it by this act or by any other law.

(i) To do all acts and things not inconsistent with law for the furtherance of defense activities.

Section 5. Utilization of Existing Services and Facilities.
—In order to avoid duplication of services and facilities the council and the local and district councils of defense established under the authority of this act are directed to utilize the services and facilities of existing officers, offices, departments, commissions, boards, bureaus, in-

Council and local district councils to utilize existing governmental facilities where possible.

*"limitation" in original.

stitutions and other agencies of the Commonwealth and of the political subdivisions thereof. All such officers and agencies shall cooperate with and extend their services and facilities to the council and to the local and district councils of defense as they shall request.

Section 6. Local Councils of Defense.—Each political subdivision of the Commonwealth may establish a local council of defense by the proclamation of the executive officers or governing body thereof. Local councils of defense, if and when established, shall cooperate with and assist the council and shall perform such services as may be requested by it. Local councils may act jointly with other such councils. In so far as applicable, local councils shall have the same power and duties within their respective jurisdictions as are vested in the council. Such local councils shall terminate or cease activity whenever the council is dissolved or suspended.

Political subdivisions empowered to create local councils vested with same powers and duties possessed by Council.

Section 7. District Councils of Defense.—In cooperation with local officials, the council is authorized to establish district councils of defense in critical areas of the Commonwealth of special importance in defense activities. Such district councils shall act as coordinating agencies under the supervision and direction of the council and in cooperation with local governmental agencies.

Council empowered to create district councils.

Section 8. Authorization for Appropriation.—The sum of twenty-five thousand (\$25,000) dollars, or so much thereof as may be necessary, is hereby appropriated to the council from the General Fund for the payment of expenses necessary to effectuate the purposes of this act. Payments out of such appropriation shall be made by the State Treasurer upon requisition of the chairman of the council and the warrant of the Auditor General.

\$25,000 appropriated for purpose of act.

Section 9. Separability of Provisions.—If any provision of this act or the application of such provision to any person or circumstance is held invalid, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

Provisions of act to be severable.

Section 10. This act shall become effective immediately upon its final enactment.

Act effective immediately.

APPROVED—The 19th day of March, A. D. 1941.

ARTHUR H. JAMES

The foregoing is a true and correct copy of Act of the General Assembly No. 3.



Secretary of the Commonwealth

